

Outcomes of the 2001 State Legislative Session

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Prepared by

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Legislative Council,
Alameda County Public Health Department

Executive Summary

Purpose

This document was created to serve as a reference guide for Alameda County Public Health Department (ACPHD) staff and community members. It provides a brief summary of all legislation signed into law or vetoed during the 2000-2001 session of the California State Legislature and is organized by Divisions and the Department's new strategic directives (nutrition, shelter, and safety). Further, the ACPHD has identified four legislative priorities for 2002:

- I. Access and Affordability for Health Care
- II. Quality Care
- III. Prevention
- IV. Monitoring Health Status

For each piece of legislation from the 2000-2001 session, a corresponding ACPHD legislative priority is indicated where appropriate. The intent of this document is to provide you with background on existing legislation, to help you identify gaps requiring additional legislation, and to motivate you to become active in the legislative process. A more detailed description of all included legislation can be found at www.leginfo.ca.gov, which was the main source for this document and the bill summaries.

Legislative Council

This document was prepared under the auspices of the Public Health Department Legislative Council. The legislative council is comprised of seven active members from the following divisions and areas: Administrative Services, Community Health Services, AIDS and Communicable Diseases, Emergency Medical Services, Family Health Services, Public Health Nursing, and the Public Health Information Officer. The mission of the council is to raise awareness of public health issues throughout Alameda County and to develop and implement a locally focused, strategic legislative plan for ensuring that public health policies and programs are based on community needs and interests. We encourage you to participate in the legislative process by helping to shape the legislative priorities of the department, by encouraging the department to adopt a position on legislation, and by developing legislative proposals. You are also welcome to attend one of the Council's bi-weekly meetings to observe the Council's process. For additional information about the Legislative Council contact Pam Willow, the Legislative Council Coordinator, at 208-5905 or pawillo@co.alameda.ca.us or visit us on the web at www.co.alameda.ca.us/publichealth.

Feedback

We would appreciate any feedback on the usefulness of this document and how it can be improved upon in the future. Please forward any questions or comments to Pam Willow, the Legislative Council Coordinator, at 208-5905 or pawillo@co.alameda.ca.us.

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2000-2001 Legislation

Community Health Services Division

Number & Author	Description	Chapter Number	ACPHD Legislative Priorities
AB 188 Vargas	<i>Playgrounds: Smoking</i> This law prohibits the smoking and disposal of cigarettes and other tobacco-related products within a playground or sandbox area. Further, this law prohibits persons from intimidating, threatening, or retaliating against a person who seeks compliance with the law. Violations of the law are punishable by a \$100 fine per each infraction. This legislation does not apply to private property and does not prevent any city and county from regulating smoking around playgrounds and sandbox areas.	150	III
AB 289 Oropeza	<i>Healing Arts</i> This legislation removes restrictions on State Department of Alcohol and Drug regulated narcotic treatment programs regarding employment of physicians, surgeons, and podiatrists, so far as these programs do not interfere, control, or otherwise direct the judgment of these professionals.	321	II
AB 313 Goldberg	<i>Women, infants, and children's nutrition</i> This law allows WIC recipients to redeem coupons at any authorized vendor beginning July 1, 2002, eliminating the requirement that recipients specify one vendor at which coupons will be redeemed. A sunset date of January 1, 2005 is attached to this legislation. The Department of Health Services (DHS) will report on the impact of the any authorized vendor system by July 1, 2004. Further, DHS is required to print information on WIC coupons in a format readable by optical scanning technology and to furnish a report on the feasibility and costs of printing coupons for use with optical scanning technology by March 15, 2002. The use of this technology will be contingent upon a budget appropriation. Finally, DHS is required to develop a plan by January 1, 2003 and report to the Legislature by July 1, 2003 on the feasibility of implementing an electronic benefits transfer system for the California Special Supplemental Food Program for Women, Infants, and Children.	842	I, II
AB 447 Firebaugh	<i>Dental Board of California</i> Existing law provides for a Dental Board of California comprised of 14 members including eight practicing dentists, including faculty of a dental college or dental department of a medical college located in the state. This legislation requires the board to include a faculty member of a California dental college and a dentist who practices in a nonprofit community clinic. Further, a new board with powers matching those of the previous board will be established on January 1, 2002.	625	II
AB 564 Lowenthal	<i>Denistry: oral conscious sedation</i> This law deems, as unprofessional conduct, the failure of a dentist to report in writing to the board within 7 days of any patient requiring emergency or hospital care following oral conscious sedation, conscious sedation, general anesthesia, or any dental treatment for which this care is not expected or normal. The board is bestowed with the authority to inspect dental offices making reports. Further, the Dental Board of California is required to submit a report to the Assembly Committee on Health and the Senate Business and Professions Committee on or before January 1, 2003 regarding the reports it has received on deaths or hospitalizations resulting from dental treatment.	308	IV

AB 624 Oropeza	<i>Alcoholic beverages: licenses</i> Under existing law, the Department of Alcoholic Beverage Control may impose conditions on certain license transfers at the request of a local governing body in whose jurisdiction the license is located. This legislation requires a local governing body to make the request for imposition of conditions within 40 days after the department mails notice of the transfer request, if the license to be transferred is located in an area of undue concentration. Further, this legislation allows the department, in considering an application, to take into account adjacent crime reporting districts if the applicant premises are located within 100 feet of the boundaries of any adjacent district. Lastly, this legislation requires that notification of an application be mailed to every owner of real property in the area, if the local jurisdiction in which the license is to be issued provides the applicant, free of charge, with the names and addresses of the owners of the real property. Notification is required in English and Spanish, and is required to include information on how to obtain the notice in other languages.	931	III
AB 734 Chan	<i>California Children and Families Program</i> This legislation requires that funds from the Mass Media Communications Account of the California Children and Families Trust Fund be used for the cessation of tobacco, alcohol, and drug use by pregnant women. Further, this legislation allows the California Children and Families Commission to be identified as the California Children and Families Partnership for the purposes of mass media communications and statewide dissemination of public information and education materials.	322	III
AB 1078 Jackson	<i>Driving under the influence</i> Existing law makes it a public offense, punishable as either a misdemeanor or felony, if a person is convicted of specified driving under the influence offenses (DUI) that occur within 10 years of, among other offenses, gross vehicular manslaughter while intoxicated or felony vehicular manslaughter. This legislation recasts provisions as to the specific prior offenses described above to delete the 10-year restriction.	849	III
AB 1428 Aanestad	<i>Dentistry: licensure</i> This legislation permits the California Dental Board to grant a license to practice dentistry to applicants licensed to practice dentistry in another state for at least five years without taking the licensure examination, effective July 1, 2002. The California Dental Board is required to report to the Legislature by January 1, 2005, regarding the impact of these provisions on the availability of dentists in this state.	507	II
AB 1444 Maddox	<i>Nutritional Advice</i> This legislation subjects certain nutritional professionals to certain provisions governing registered dietitians. Further, this legislation creates an exception to the requirement that referrals to a registered dietitian be accompanied by a written prescription when a referring physician or surgeon has established or approved a written protocol governing the patient's treatment. This legislation also authorizes registered dietitians and other nutritional professionals who are not specified licensed health care providers to order, when authorized to do so by a written protocol prepared or approved by the referring physician and surgeon, medical laboratory tests related to nutritional therapeutic treatments and to accept or transmit verbal orders consistent with the established protocol or electronically transmitted orders from a health care provider in order to implement medical nutrition therapy. The legislation designates the services described above that registered dietitians and other nutritional professionals are authorized to perform as medical nutrition therapy, authorizes a dietetic technician to assist a registered dietitian with certain services, and makes conforming changes to the Insurance Code. This legislation requires that a person satisfactorily complete a program of supervised practice for a minimum of 900 hours in order to represent himself or herself as a dietitian and requires any person representing himself or herself as a dietetic technician to undergo 450 hours of supervised practice.	628	II

SB 134 Figueroa	<i>Denistry</i> This legislation revises the procedures for appointment of the California Dental Board, provides that the current board will be repealed on January 1, 2002, and provides that a new board will be created on January 1, 2002 and becomes inoperative on July 1, 2004. Further, the legislation extends the provisions creating the Committee on Dental Auxiliaries to July 1, 2004, and repeals them on January 1, 2005. This legislation also makes other changes regarding the practice of denistry, including changing various dates related to licensing and examination requirements and making changes to the composition of the board if AB 447 is enacted.	532	II
SB 310 Perata	<i>Pupils: protective sun clothing</i> This legislation requires schools to allow protective sun clothing to be worn outdoors during the schoolday, including but not limited to hats.	575	III
SB 312 Alpert	<i>Cigarette and tobacco products taxes</i> This law expands the definition of “untaxed tobacco product” to include tobacco products that are distributed in a manner resulting in a tax liability, but that are returned to the distributor after the tax was paid and for which the distributor claimed a deduction, refund, or credit. Proposition 10 imposed a tax on the distribution of tobacco products equivalent to the rate imposed on the distribution of cigarettes. This law provides that the wholesale cost used to calculate the amount of those taxes does not include the wholesale cost of tobacco products that were returned by a customer during the same reporting period in which the tobacco products were distributed, when the distributor refunds the amount paid in cash or credit.	426	
SB 322 Ortiz	<i>Tobacco</i> This law prohibits the sale, offer of sale, distribution, or importation of any tobacco product referred to as “bidis” or “beedies” except at establishments barring persons under the age of 18 years on the premises. Bidis or beedies are any tobacco product wrapped in temburni or tendu leaves. Persons violating this law are guilty of a misdemeanor or civil action brought by the Attorney General, a city attorney, county counsel, or district attorney for an injunction and a civil penalty of up to two thousand dollars (\$2,000) per violation.	375	III
SB 647 Costa & Monteith	<i>Alcoholic beverages</i> This legislation creates an exception to tied-house laws, by allowing the holder of a beer manufacturer's or a winegrower's license, a distilled spirits manufacturer, or a distilled spirits manufacturer's agent to purchase advertising time and space at an outdoor stadium or a fully enclosed stadium, with a fixed seating capacity in excess of 10,000 seats located in Fresno County. The legislation revises and clarifies described conditions necessary for this exception to apply. This legislation also includes a new events center at the California State University, Fresno, and makes other technical and clarifying amendments to present law. Eliminates the application of the exception to an exposition park in Alameda County and extends the exception for an exposition park in San Bernardino County.	582	III
SB 702 Escutia	<i>Chronic disease: environmental determinants</i> This legislation provides legislative intent to track the relationship between chronic diseases and environmental exposures in accordance with the recommendations of a working group established by the Division of Environmental and Occupational Disease Control at the State Department of Health Services and in consultation within the Office of Environmental Health Hazard Assessment within the California Environmental Protection Agency and to submit their report to the Legislature by July 1, 2002.	538	III, IV

SB 757
Ortiz

Tobacco Control

376 III

The legislation authorizes the State Department of Health Services to make targeted sting inspections of retail sites where minors are being sold tobacco products and expands these investigations to include telephone, mail and Internet tobacco sales to minors. The legislation further provides that a peace officer is required to identify to the seller the identity of the person under 18 years of age who engaged in the sale of tobacco products and to notify the retail establishment of the inspection following an attempted sale. It provides that is unlawful for any person engaged in the retail sale of tobacco products to sell, offer for sale, or display cigarettes in a manner that is accessible to the general public without the assistance of the retailer or employee of the retailer, except in specified circumstances, and would impose civil penalties for violation of this prohibition. It expands the crime against providing tobacco products to minors by including any circumstance in which a person, firm or corporation has knowledge, or otherwise should have grounds for knowledge that they are furnishing a tobacco product to a minor. This legislation includes within the prohibition the nonsale distribution of smokeless tobacco or cigarettes on any private property that is open to the public, except as specified. Lastly, it imposes an infraction or civil penalty for the manufacturing, distribution, sale, or offering of a package of cigarettes that does not contain at least 20 cigarettes or a package of roll-your-own tobacco that does not contain at least 0.60 ounces of tobacco.

SB 1041
Ortiz

Health care: Donated Dental Services Program

VETO I

This legislation establishes the Donated Dental Services Program within the State Department of Developmental Services for purposes of increasing access to dental services for special populations by encouraging the delivery of volunteer dental services for the disabled and elderly by California's practicing dentists.

Division of AIDS & Communicable Disease

Number & Author	Description	Chapter Number	ACPHD Legislative Priorities
AB 916 Keeley	School health instruction This legislation requires every school district to provide instruction in the prevention of sexually transmitted infections to all students in grades 7 to 12, in addition to the AIDS prevention instruction currently required, unless the parent or guardian of a child requests otherwise.	VETO	III
AB 937 Koretz	Health Care: HIV Treatment This legislation requires every health care service plan covering hospital, medical, or surgical expenses that contracts with providers on a capitation basis to consider specified factors when establishing reimbursement rates of providers and primary care case management programs for the treatment of enrollees with HIV. These specified factors include that rates should not unnecessarily restrict access to care or provide incentive to limit treatment or medications. Rates must also be commensurate with national standards, reflect efficiency, cost effectiveness, and quality of care, and facilitate the ability of providers and primary care case management programs to develop a quality HIV program without a negative financial impact from adverse selection. Rates become operative on July 1, 2002. The State Department of Health Services will establish risk-adjusted capitation rates for Medi-Cal enrollees with HIV which become operative on July 1, 2002.	VETO	I, III
AB 1046 Migden	Sharps Injury Prevention This legislation requires the Department of Health Services to maintain a Sharps Injury Control program to keep an updated list of existing needleless systems and needles with engineered sharps injury prevention.	370	III
AB 1263 Migden	AIDS:HIV: rapid testing programs This legislation authorizes the State Department of Health Services to conduct a research program in conjunction with the Centers for Disease Control to investigate innovative HIV testing and counseling programs. The Department of Health Services is also authorized to implement a rapid HIV test program using approved tests at designated sites following specified criteria.	324	I, II
AB 1452 Cox	Vaccinations: meningococcal disease This legislation requires the State Department of Health Services to develop information regarding meningococcal disease for distribution to requesting school districts and degree-granting postsecondary educational institutions. Postsecondary educational institutions with housing are required to distribute this information to all incoming freshmen living in on-campus housing and to require each incoming freshman to confirm that the information was received and to indicate whether a vaccine is desired. Private postsecondary educational institutions are expected to adopt a policy to notify all incoming students about meningococcal disease and the availability of vaccinations beginning with the 2002-2003 year.	372	III
SB 212 Oller	Meningococcal disease This legislation requires the State Department of Health Services to develop a Meningococcal Disease Strategic Prevention Plan, which includes the involvement and input of people who have been diagnosed with meningococcal disease and their families, to be made available to the Legislature by June 30, 2002. One hundred thousand dollars from the General Fund is to be appropriated for this purpose.	374	III
SB 293 Torlakson & Figueroa	Pharmacies: injectable sterile drug products This legislation authorizes the California State Board of Pharmacy, based on reasonable belief obtained during an investigation or pharmacy inspection, to issue a cease and desist order to a pharmacy requiring the pharmacy to refrain from compounding injectable sterile drug products if that activity poses an immediate threat to the public	827	II

health or safety. Further, this legislation implements quality assurance methods regarding the compounding of injectable sterile drug products, requires the board to adopt necessary regulations regarding injectable sterile drug products, and requires specified pharmacies to obtain a license from the board in order to prepare injectable sterile drug products. The legislation provides that the reconstitution of a sterile powder does not require a license if specified conditions are met.

SB 446
Vasconcellos

Health care coverage: AIDS vaccine

This legislation requires health plans or contracts established or approved by the Board of Administration of the Public Employees' Retirement System to provide coverage for an AIDS vaccine to specified public employees. Further, this legislation requires disability insurers and health care service plans providing coverage for hospital, medical, or surgery expenses to provide an approved AIDS vaccine, as specified.

634

I, III

Emergency Medical Services

Number & Author	Description	Chapter Number	ACPHD Legislative Priorities
AB 215 Cohn & Pacheco	<p><i>Health care benefits</i></p> <p>This legislation establishes a state-funded program to assist uninsured spouses and dependent children of peace officers and firefighters, whose death results from the performance of their official duties, to obtain health benefits.</p>	775	I
AB 559 Wiggins	<p><i>Emergency Medical Services</i></p> <p>This legislation authorizes pharmacies to provide epinephrine auto-injectors to a school district or county office of education that meets certain conditions with the requirement that school districts and county offices maintain documentation of the acquisition and disposition of auto-injectors for three years from the date the records were created. School districts and county offices are authorized to provide auto-injectors to trained personnel who are authorized to use auto-injectors to provide emergency medical aid to persons suffering from an anaphylactic reaction. It is the decision of each private and public elementary and secondary school in the state whether trained personnel will be provided to administer auto-injectors and to designate to staff to undergo training. Those school districts or county offices electing to use auto-injectors for emergency medical aid must develop a plan to address specified issues. School nurses or trained personnel are authorized to obtain a prescription for auto-injectors.</p>	458	I, II
AB 900 Papan	<p><i>Local emergency medical services fund</i></p> <p>Existing legislation established an emergency medical services fund from which physicians and surgeons are reimbursed for services rendered without pay and for other services. This legislation revises the procedures for payment of claims against the fund and would require counties with such funds to inform physicians of their existence and of the procedures for making claims. This legislation includes local medical societies within the scope of entities that may serve as the administering officer of the fund; under existing law the board of supervisors of the county or any other county agency is authorized to serve as the administering officer of the fund.</p>	VETO	I
AB 1046 Migden	<p><i>Sharps Injury Prevention</i></p> <p>This legislation requires the Department of Health Services to maintain a Sharps Injury Control program to keep an updated list of existing needleless systems and needles with engineered sharps injury prevention.</p>	370	III
AB 1376 Wyman & Koretz	<p><i>Emergency response vehicles</i></p> <p>This legislation requires the Department of Transportation to apply, in cooperation with other interested cities with Traffic Signal Override Systems, to the United States Secretary of Transportation for federal funding to conduct a research program in one or more cities to test the effectiveness of the installation of signal emitters and sensors in emergency response vehicles in reducing accidents and injuries. The department is required to submit a report on its findings to the budget and transportation committees of the Legislature within 6 months after the study is completed.</p>	462	II
AB 1432 Corbett	<p><i>Office of Emergency Services</i></p> <p>The Natural Disaster Assistance Act authorizes the Director of Emergency Services to allocate funds appropriated for various local agency and state costs. This legislation provides that local agency personnel costs may be funded, excluding normal hourly wage costs of employees engaged in emergency work, that specified mitigation costs may be funded, and deletes reference to a specified federal publication and instead provides that indirect administrative costs may be funded. Further, this legislation extends the sunset date of the Disaster Response-Emergency Operations Account, from which funds are allocated by the Director of Finance to state agencies for disaster response operation costs incurred by state agencies as a result of a state of emergency proclamation by the Governor, until January 1, 2003. Finally, this legislation requires an electrical corporation or local publicly owned electric utility to notify the Office of Emergency Services of a</p>	822	II

planned loss of power as soon as the planned loss becomes known.

ABX2 69 Bogh & Pacheco	<i>Public health emergency conditions</i> This legislation permits the Governor by executive order, or the Director of the Office of Statewide Health Planning and Development (OSHPD) to suspend enforcement of laws and regulations related to construction, or renovation of existing long-term health care facilities in specified situations. This legislation is prohibited from permitting the suspension of the life safety requirements of OSHPD and the office of the State Fire Marshal (Fire Marshal), where the suspension would pose a greater danger than the situation caused by the extraordinary condition and the proposed action the licensee seeks to use to mitigate the potential harm or danger.	13	
SB 42 Speier	<i>Child Passenger Restraint Systems and Seatbelts: accident reports</i> This legislation makes several technical changes to the law mandating child passenger vehicle restraint systems, including deletion of the requirement that a child be at least one year of age in order to qualify for the exemption from using a restraint system or wearing a seatbelt in the case of a life-threatening emergency or when a child is being transported in an authorized emergency vehicle.	84	III
SB 1134 Escutia	<i>Drug Overdose Deaths</i> This legislation requires the state Medical Emergency Services Authority of the California Health and Human Services Agency to convene a working group and adopt regulations that would train emergency medical technicians I to administer and allow for the administration of naloxone hydrochloride to people who have experienced drug overdoses. A second working group convened by the California Health and Human Services Agency is required to develop guidelines for county medical examiners and coroners for improved and uniform data collection, classification, and reporting. Further, this legislation establishes the Drug Overdose Prevention, Recognition, and Response Program, which would submit reports on drug overdose deaths and provide assistance including the development of literature for those involved with the program. Finally, the aforementioned program is required to make grants to local agencies for drug overdose prevention, recognition, and response programs from funds appropriated for the purposes of the legislation.	VETO	I, II

Family Health Services

Number & Author	Description	Chapter Number	ACPHD Legislative Priorities
AB 102 Pacheco	<i>Child Abuse Reporting: Emotional Well Being</i> This legislation requires mandated reporters to report to a child protective agency knowledge or reasonable suspicion regarding the infliction of mental suffering on a child or the endangerment of the emotional well being of a child. Child protective agencies are then required to forward reports of abuse or neglect to the Department of Justice. This legislation includes the specification that abuse or neglect in out-of-home care means physical abuse, including particular acts, and would make technical, nonsubstantive, or conforming changes to CANRA.	133	
AB 160 Bates	<i>Domestic Violence: protective orders</i> This legislation specifies that criminal restraining or protective orders have precedence in enforcement over any civil court order that pertains to the same persons. The legislation directs the Judicial Council of California to promulgate a protocol, for adoption by local courts, to provide for coordination of all orders regarding the same persons and requires that the protocol include mechanisms for communication and information sharing and permit family or juvenile court orders to coexist with criminal court orders as long as the orders protect the safety of the parties. This legislation requires a court that modifies, extends, or terminates an order protecting a victim of violent crime from contact with the defendant to transmit that modification, extension, or termination to the law enforcement agency that entered the protective order into the Domestic Violence Restraining Order System. This legislation also requires modifications, extensions, and terminations of orders protecting victims of violent crime from contact with the defendant to be issued on forms adopted by the Judicial Council of California and approved by the Department of Justice. These provisions shall be implemented on January 1, 2003.	698	
AB 469 Cohn	<i>Domestic Violence</i> This legislation requires a law enforcement officer, responding to a domestic violence incident, to file a report which includes a notation of whether it was necessary to inquire of the alleged abuser or victim as to the presence of a firearm or other deadly weapon and whether the inquiry revealed the presence of a firearm or deadly weapon. Further, law enforcement officers are required to confiscate any firearm or deadly weapon discovered at the scene of a domestic violence incident.	483	
AB 664 Dutra	<i>Domestic violence programs</i> Under existing law the Office of Criminal Justice Planning expends funds for local domestic violence programs. This legislation appropriates \$2,000,000 to the Office of Criminal Justice Planning for domestic violence programs that previously received funds, but were denied funding in 2001.	707	I
AB 677 Steinberg	<i>Persons with disabilities</i> This legislation provides that no person in the state shall, on the basis of ethnic group identification, religion, age, sex, color, or disability, be unlawfully denied full and equal access to the benefits of, or subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or any state agency. The definition of disability is revised to be consistent with the definition of disability in the Fair Employment and Housing Act (FEHA).	708	I
AB 734 Chan	<i>California Children and Families Program</i> This legislation requires that funds from the Mass Media Communications Account of the California Children and Families Trust Fund be used for the cessation of tobacco, alcohol, and drug use by pregnant women. Further, this legislation allows the California Children and Families Commission to be identified as the California Children and Families Partnership for the purposes of mass media communications and statewide dissemination of public information and education materials.	322	III

AB 916 Keeley	School health instruction This legislation requires every school district to provide instruction in the prevention of sexually transmitted infections to all students in grades 7 to 12, in addition to the AIDS prevention instruction currently required, unless the parent or guardian of a child requests otherwise.	VETO	III
AB 945 Wright	<i>Lead inspections</i> This legislation requires certified industrial hygienists (CIHs) to be eligible to provide environmental investigative services as a part of the Childhood Lead Poisoning Prevention Program (CLPPP).	524	III
AB 950 Wright	Developmentally Disabled Persons Care Facilities Under existing law, the State Department of Developmental Services contracts with regional centers for the provision of services and supports to persons with developmental disabilities. The State Department of Developmental Services establishes separate reimbursement rates for residential services to persons with developmental disabilities residing in community care facilities. This legislation subjects all the direct care staff of licensed community care facilities receiving regional center funding to training and testing requirements previously applied only to direct care staff of Alternative Regional Model facilities.	188	II
AB 1025 Frommer	<i>Lactation accommodation</i> This legislation requires employers to provide a reasonable amount of break time, to run concurrently with already provided break time when possible, for employees to express milk. Otherwise, break time is to be provided on an unpaid basis. Further, employers are required to provide a room or space, other than a restroom stall, near the employer's work for this purpose. The space where the employee works can be used to express milk, as long as it meets established requirements. Employers are exempted from these requirements if allowing break time would seriously disrupt operations. Employers found in violation of this legislation are subject to civil penalties, for which the Labor Commission is authorized to issue citations.	821	I
AB 1030 Pacheco	<i>Pupil Health</i> This legislation requires the Superintendent of Public Instruction, in consultation with the State Department of Health Services, to conduct a study of school districts throughout the state to examine the lack of pupil locker space on school campuses, the weight of hardcover textbooks, and any correlation between school pupils carrying heavy instructional materials in backpacks and spinal damage. The legislation requires the results of the study and recommendations to be reported to the Legislature by January 1, 2003	VETO	IV
AB 1061 Dickerson	<i>Pupil Health</i> This legislation authorizes designated school personnel, during the regular schoolday, to assist a pupil to take or apply medication for which a prescription is not required if the school district receives a written statement from the parent or guardian of the pupil indicating the desire of the parent or guardian that the pupil be allowed to take or apply the medication. The legislation also provides that the medication may only be taken or applied in accordance with the original package instructions and requires the designated school personnel to contact the pupil's parent or guardian and the school nurse if they decide not to assist the pupil with the medication as the result of a visual screening of the pupil that indicates the medication is contrary to the goal of protecting the health status of the pupil.	VETO	I
AB 1147 Thomson	<i>County maternal and child health services</i> This legislation appropriates \$2,644,000 from the General Fund to the State Department of Health Services to augment a specified item in the Budget Act of 2001 for allocation in support of county maternal and child health services.	VETO	I
AB 1191 Longville	<i>Developmental disabilities</i> The State Department of Developmental Services, under existing law, contracts with regional centers that provide support services to persons with developmental	VETO	II

disabilities. Further, these regional centers purchase services from approved service providers or other publicly funded agencies. This legislation establishes procedures for the resolution of disputes between regional centers and publicly funded agencies, regarding the provision of or payment for services contained in an individualized family service plan or individualized program plan.

AB 1261 Migden & Cardenas	<i>Independent Living Program</i> This legislation increases the amount of cash savings from \$5000 to \$10,000 that foster youth who are 16 years of age or older and participating in the Independent Living Program pursuant to federal law may retain as a resource exemption, for use by the youth for purposes directly related to emancipation.	686	II
AB 1347 Pescetti	<i>Dementia caregiver training</i> This legislation establishes dementia-specific training and education requirements for the certified nurse assistant staff of skilled nursing facilities and intermediate care facilities.	339	II
AB 1497 Negrete McLeod	<i>California Victim compensation</i> This legislation provides that each county may establish multidisciplinary teams or centers to coordinate the activities of the various agencies involved in the investigation and prosecution of alleged child abuse. Counties may submit claims to the California Victim Compensation and Government Claims Board for the recovery of costs associated with the provision of child victim forensic evidentiary interviews conducted by multidisciplinary teams or centers and in order to qualify for state funding must adopt a written protocol and develop an interagency protocol agreement.	VETO	II
AB 1570 Pavley	<i>Batterer's Treatment Program</i> This legislation requires persons convicted of a crime for which the victim is among other persons, a spouse or former spouse, a cohabitant or former cohabitant, a person with whom the defendant is having or has had a dating or engagement relationship, or a person with whom the defendant has had a child to attend consecutive weekly sessions of a batterer's treatment program. The defendant is required to complete the treatment program within 18 months and is permitted no more than three absences, which must be granted by the program after establishing good cause. A court can find good cause to alter requirements.	568	III
AB 1626 Pescetti & Diaz	<i>School Safety</i> This legislation establishes the California Safe Alternatives and Violence Education (SAVE) Program to provide nonpunitive intervention for adolescent first-time offenders, ages 10 to 17, inclusive, who have been involved in violence or weapons possession on or near a school campus. The Attorney General is required to administer the program and to establish 2 programs in Sacramento County and the City of San Jose. The program is to be a voluntary collaborative effort between probation departments, other local law enforcement agencies, and local education entities and is required to offer specified services. Program participants are referred to the program by schools, probation departments, courts, and law enforcement agencies.	VETO	III
AB 1693 Committee on Human Services	<i>Developmental Disabilities</i> This legislation requires the State Department of Developmental Services, by July 1, 2002, to develop a mechanism for adjusting regional center reimbursements to local regional centers located in high cost of living areas. Allotments would be used to supplement provider rates established through a state rate setting process. This mechanism would not result in a reduction of funds and would act as a temporary bridge until the reform plan of the department is implemented. Further, this legislation requires the department to develop incentives and strategies for recruiting and retaining qualified personnel in rural and urban areas, which will be reported on to the Governor and policy committees of the Legislature by March 15, 2002. The department will also report annually to the Legislature on the fiscal impact of this legislation, which is to be in effect through the fiscal years 2002-2003 and 2003-2004.	VETO	II

SB 19 Escutia	<i>Pupil Health</i> This legislation requires the reimbursement a school receives for free and reduced-price meals sold or served to pupils in elementary or middle schools to be increased to \$0.23. It also establishes various limitations and prohibitions on the sale of beverages and foods to pupils in elementary and middle schools. The Department of Education (SDE) is required to establish a pilot program in which not less than 10 high schools, middle schools, or any combination thereof, voluntarily adopt the provisions of this legislation. School districts maintaining at least one elementary school or middle school, or high school that is participating in the pilot program established by this legislation, are permitted to convene a Child Nutrition and Physical Activity Advisory Committee.	913	I, II
SB 66 Kuehl	<i>Domestic Violence: protective orders: background checks</i> This legislation requires active court involvement in performing background checks in specified proceedings involving domestic violence.	572	III
SB 101 Brulte	<i>Abandonment of newborns</i> Under existing law, no parent or person having lawful custody of a minor child 72 hours old or younger may be prosecuted if he or she voluntarily surrenders physical custody of the child to any employee on duty at a public or private hospital emergency room, or any addition allocation designated by the board of supervisors. This legislation would appropriate \$1,000,000 from the General Fund to State Department of Social Services with the State Department of Health Services, the State Department of Education, and the office of the Attorney General for the development and implementation of a social marketing campaign to determine what population is likely to abandon their newborn infants and to determine options available to them.	VETO	I, III
SB 185 Bowen	<i>Battered women's shelters</i> This legislation requires the Maternal and Child Health Branch of the State Department of Health Services to conduct site visits of domestic violence shelters that receive funding through the grant program for a performance assessment and to provide technical assistance to each agency.	439	II
SB 333 Escutia	<i>Elder death review teams</i> This legislation authorizes any county to establish an interagency elder death team to assist local agencies in identifying and reviewing suspicious elder deaths and facilitating communications among persons who perform autopsies and persons involved in the investigation or reporting of elder abuse or neglect. This legislation also specifies that the county elder death review teams be comprised of certain state and local agency staff and private entities and to establish procedures for the sharing or disclosure of information by elder death review teams.	301	IV
SB 511 Alpert	<i>Children with disabilities</i> Under existing law, the Superintendent of Public Instruction is required to provide counseling services to parents, families, and guardians of children in conjunction with diagnostic centers. In order to extend services to communities not currently receiving services, this legislation requires the State Department of Education to award grants for the establishment of Family Empowerment Centers on Disability in each of the 32 regions in the state established under the Early Start Family Resource Centers that are operated by the State Department of Developmental Services. The legislation requires centers receiving funding and serving the parents and guardians of children and young adults from age 3 years to age 18 years and those young adults from age 19 years to age 22 years who had an individualized education plan prior tot heir 18th birthday to provide specified services to parents and guardians of children and young adults with disabilities. The Empowerment Centers are to be staffed primarily by parents and guardians of children and youth with disabilities. This legislation appropriates \$2,372,000 of funds from the Federal Department of Education for special education capacity building to the State Department of Education. Funding is to be allocated based on a specified formula and a Family Empowerment and Disability Council will be established to provide assistance to Family Empowerment Centers on Disability.	690	I, II

SB 799 Karnette	<i>Battered women's syndrome</i> Existing law specifies circumstances under which a writ of habeas corpus may be prosecuted to inquire into the cause of a person's imprisonment. This legislation includes within those circumstances the fact that evidence relating to battered women's syndrome, based on abuse committed on the perpetrator of a homicide by the victim of the homicide, was not introduced at trial, and, had it been introduced, there is a reasonable probability that the result of the proceedings would have been different. Further, existing provisions authorizing a court to take certain actions, including ordering a new trial or reversing a conviction, apply to these provisions. The provisions of this legislation are limited to murder convictions resulting from pleas entered, or trials commenced, before January 1, 1992, and will be repealed as of January 1, 2005.	858	II
SB 961 Polanco	<i>Domestic violence reporting</i> Existing law provides that authorized county health department personnel are permitted to receive reports made by specified health practitioners of known or suspected child abuse made pursuant to provisions of law requiring reports of maternal substance abuse and copies of needs assessments related to pregnant and postpartum substance abusing women. This legislation makes a nonsubstantive, technical correction to existing law authorizing persons within county health departments to receive copies of the aforementioned reports and assessments made by specified health professionals regarding maternal substance abuse. Further, this legislation requires child protective service agencies and law enforcement, in collaboration with other agencies, to develop protocols describing how law enforcement and child welfare agencies will cooperate in their response to a domestic violence related incident in a home in which a child resides.	VETO	IV
SB 962 Polanco	<i>Child death review team training</i> Under existing law, each county is authorized to establish an interagency child death review team to review suspicious child deaths and to facilitate communication among persons performing autopsies and persons involved in child abuse and neglect cases. The Office of Criminal Justice Planning is required by existing law to provide and absorb the costs for training and technical assistance to local child death review teams. This legislation appropriates \$100,000 from the General Fund to the Office of Criminal Justice Planning for expenditure by the Interagency Council on Child Abuse and Neglect for the purpose of a statewide Child Death Review Team (CDRT) training program to be coordinated with the state Child Death Review Council.	VETO	IV
SB 1041 Ortiz	<i>Health care: Donated Dental Services Program</i> This legislation establishes the Donated Dental Services Program within the State Department of Developmental Services for purposes of increasing access to dental services for special populations by encouraging the delivery of volunteer dental services for the disabled and elderly by California's practicing dentists.	VETO	I
SB 1058 Escutia	<i>Teenage Pregnancy Prevention Grant Program</i> This legislation reenacts and recasts provisions of repealed legislation that provided for a teenage pregnancy prevention program, targeted at pupils in elementary and secondary schools. Further, these provisions become inoperative as of July 1, 2003 and will be repealed as of January 1, 2004.	541	III

Public Health Administration

Number & Author	Description	Chapter Number	ACPHD Legislative Priorities
AB 59 Cedillo	<i>Health Programs Eligibility</i> This legislation establishes a statewide pilot project to expedite Medi-Cal enrollment for children receiving free lunches through the National School Lunch Program, effective July 1, 2002. This legislation also creates a process to authorize consent for the release of information on applications for free lunches to county welfare departments, and authorizes them to quickly enroll children in Medi-Cal upon receipt of such information from school districts. Furthermore, this measure would essentially authorize immediate Medi-Cal enrollment of children, who are in families with incomes less than 100 percent of the federal poverty level, and require simplified additional information to determine if children in families over 100 percent are eligible for either Medi-Cal or the Healthy Families Program. In addition, the bill requires county welfare departments to assist Food Stamp applicants with applying for Medi-Cal and provide information on the Healthy Families program to families that don't qualify for Medi-Cal.	894	I
AB 194 Longville	<i>Vital Records: Change of Sex</i> This legislation permits a person born in California who has surgically altered their sexual characteristics to those of the opposite sex, to petition for a new birth certificate reflecting the change of gender and any change of name in the county where the petitioner was born, in addition to the county where the person resides.	VETO	IV
AB 215 Cohn & Pacheco	<i>Health care benefits</i> This legislation establishes a state-funded program to assist uninsured spouses and dependent children of peace officers and firefighters, whose death results from the performance of their official duties, to obtain health benefits.	775	I
AB 429 Aroner & Chan	<i>Health and Welfare Programs</i> This legislation is the omnibus social services Budget trailer, which makes changes to numerous programs administered by the State. Under existing law, the State Department of Alcohol and Drug Programs is required to develop and test a comprehensive, client-centered system of care that is outcome-based and addresses the devastating costs of substance abuse to individuals, families, and communities. This legislation extends the operation of that provision to July 1, 2003, and requires the department to provide the appropriate committees of the Legislature with a report, by January 1, 2003, on how to apply the program on a statewide basis and to include in the report various aspects of the program. Existing law requires the Office of Statewide Health Planning and Development, until January 1, 2002, to charge a health facility a fee of not more than 0.035% of the gross operating cost of the health facility for the previous fiscal year, for deposit into the California Health Data and Planning Fund. Existing law includes similar provisions, operative on and after January 1, 2002, requiring the office to charge fees for health facilities and freestanding ambulatory surgery clinics for deposit into the fund. Existing law requires the office to establish the fee to produce revenues equal to the appropriation to pay for the functions required to be performed by the office, area and local planning agencies, and the Advisory Health Council. This legislation revises the above provisions, including specifying that the appropriation upon which the fee is based is the appropriation in the annual Budget Act or another statute to pay for functions required to be performed by the office and the California Health Policy and Data Advisory Commission in accordance with specified law, and other health-related programs administered by the office. Existing law provides for the provision of payments to meet the needs of recipients of aid under the State Supplementary Program for Aged, Blind, and Disabled under emergency or special circumstances. This legislation revises the scope of eligibility for emergency or special circumstances aid and the circumstances for which the payments would be made. The legislation increases limits on amounts of aid that may be paid for certain special circumstances.	111	I, II

AB 430 Cardenas	<i>Health: budget implementation</i> This legislation represents the omnibus health budget trailer bill, which makes changes to numerous State programs.	171	I, II, III, IV
AB 495 Diaz	<i>Health care coverage</i> This legislation creates the Children's Health Initiative Matching Fund in the State Treasury, to be administered by the Managed Risk Medical Insurance Board, in collaboration with the State Department of Health Services, for the purpose of providing matching state funds and local funds received by the fund through intergovernmental transfers to a county agency, a local initiative, or a county organized health system to provide health insurance coverage to certain children in low-income households who do not qualify for health care benefits through the Healthy Families Program or Medi-Cal. The bill would also provide for the referral of eligible children to the California Children's Services Program, as specified.	648	I
AB 548 Runner & Strom-Martin	<i>Specialty care for low-income persons</i> This legislation requires the Office of Statewide Health Planning and Development, in consultation with the State Department of Health Services, to establish, until January 1, 2007, a specialty care access program in underserved areas. The legislation also declares Legislative intent that the program be funded by private gifts and grants. Under this program, private funding obtained by the office would be deposited into the Specialty Care Fund, and used to reimburse participating out-of-area providers in underserved areas for the cost of care provided to low-income persons, upon appropriation by the Legislature.	520	I
AB 829 Cohn	<i>Health care</i> This legislation adds to licensing and certification requirements of an adult day health care center and revises and adds provisions regulating the denial, renewal, suspension, and revocation of a license for an adult day health care center. This legislation also revises an existing exemption and provides instead that direct services contractors not licensed as an adult day care center, support center, or health care center are exempt from various licensure requirements for purposes of operating an Alzheimer's day care resource center. Circumstances under which the exemption does not apply and conditions for termination of a license are specified.	681	II
AB 938 Cohn	<i>Health care service plans</i> This legislation requires a health care service plan to provide, upon request, a list of specified contracting health care providers within the enrollees or prospective enrollees general geographic area and adds additional information that health plans must provide on an existing disclosure form. This legislation becomes operative 7/1/2002.	817	I
AB 945 Wright	<i>Lead inspections</i> This legislation requires certified industrial hygienists (CIHs) to be eligible to provide environmental investigative services as a part of the Childhood Lead Poisoning Prevention Program (CLPPP).	524	III
AB 951 Florez	<i>Clinics: interim license</i> This legislation requires the centralized applications unit in Licensing and Certification Division of the State Department of Health Services to review, commencing July 1, 2002, all new applications for nonprofit primary care clinics, nonprofit community health centers, nonprofit community clinics, and free clinics. Further, this legislation requires the Licensing and Certification Division to designate surveyors to specialize in clinic surveys and complaint investigation.	525	II
AB 1030 Pacheco	<i>Pupil Health</i> This legislation requires the Superintendent of Public Instruction, in consultation with the State Department of Health Services, to conduct a study of school districts throughout the state to examine the lack of pupil locker space on school campuses, the weight of hardcover textbooks, and any correlation between school pupils carrying heavy instructional materials in backpacks and spinal damage. The legislation requires the results of the study and recommendations to be reported to the Legislature by	VETO	IV

January 1, 2003

AB 1061 Dickerson	<i>Pupil Health</i> This legislation authorizes designated school personnel, during the regular schoolday, to assist a pupil to take or apply medication for which a prescription is not required if the school district receives a written statement from the parent or guardian of the pupil indicating the desire of the parent or guardian that the pupil be allowed to take or apply the medication. The legislation also provides that the medication may only be taken or applied in accordance with the original package instructions and requires the designated school personnel to contact the pupil's parent or guardian and the school nurse if they decide not to assist the pupil with the medication as the result of a visual screening of the pupil that indicates the medication is contrary to the goal of protecting the health status of the pupil.	VETO	I
AB 1311 Goldberg	<i>Medical records: access</i> Entitles any patient to a copy, at no charge, of the relevant portion of the patient's medical records, upon presenting to the provider a written request and proof that the records are needed to support an appeal regarding eligibility for public benefit programs. Requires health care providers to ensure that the copies are transmitted within 30 days of receiving the request. Permits hospitals or health care providers, if the patient's appeal is successful, to bill the patient for the copies of the medical records previously provided free of charge.	325	I
AB 1451 Liu	<i>Long term care insurance</i> This legislation requires the Secretary of the California Health and Humans Services Agency to establish, until January 1, 2004, a Long-term Care Financing Task Force and requires the task force to report to the Legislature by September 1, 2002, on alternatives to long-term care insurance for individuals to finance long-term care.	VETO	I
AB 1490 Thomson	<i>Health Records</i> This legislation allows a patient to access his or her laboratory test results online, if requested by the patient and if the health care professional who ordered the test deems it appropriate. Test results to be made available online would be limited to routine tests, and specifically exclude test results related to HIV, hepatitis, drug abuse, and specified tissue tests such as skin biopsies, pap smears, products of conception, and bone marrow tests. Commercial use of test results with patient identifiable information is prohibited, unless the patient affirmatively consents to such limited use consistent with the Confidentiality of Medical Information Act. This legislation provides that a patient may not be required to pay any fee for electing to receive his or her laboratory test results in a manner other than by Internet posting or other electronic form.	529	I
SB 37 Speier	<i>Health Insurance: Coverage for Clinical Trials</i> This legislation requires health care service plans and certain disability insurers to provide coverage for specified health care services related to the treatment of an enrollee or insured diagnosed with cancer and accepted in a clinical trial meeting specified requirements and requires that copayments and deductibles for services delivered in a clinical trial be the same as for services not delivered in a clinical trial. Further, this legislation requires the Medi-Cal program and County Organized Health System plans to provide coverage for specified health care services related to the treatment of an enrollee or beneficiary diagnosed with cancer and accepted in a clinical trial meeting specified requirements.	172	I
SB 108 Speier	<i>Organ and tissue donor registry</i> This legislation enacts the Organ and Tissue Donor Registry Act of 2001, which establishes under the Uniform Anatomical Gift Act an Organ and Tissue Donor Registry in the California Health and Human Services Agency, and requires the Department of Motor Vehicles to provide information and a standardized form containing specified information, to be completed by driver's license and identification card applicants who desire to be organ donors. Further, the Department of Motor Vehicles is authorized to receive voluntary contributions to be deposited in the Organ and Tissue Donor Registry Fund created by	740	I

this legislation and to make the fund subject to appropriation by the Legislature.

SB 293 Torlakson & Figueroa	<i>Pharmacies: injectable sterile drug products</i> This legislation authorizes the California State Board of Pharmacy, based on reasonable belief obtained during an investigation or pharmacy inspection, to issue a cease and desist order to a pharmacy requiring the pharmacy to refrain from compounding injectable sterile drug products if that activity poses an immediate threat to the public health or safety. Further, this legislation implements quality assurance methods regarding the compounding of injectable sterile drug products, requires the board to adopt necessary regulations regarding injectable sterile drug products, and requires specified pharmacies to obtain a license from the board in order to prepare injectable sterile drug products. The legislation provides that the reconstitution of a sterile powder does not require a license if specified conditions are met.	827	II
SB 333 Escutia	<i>Elder death review teams</i> This legislation authorizes any county to establish an interagency elder death team to assist local agencies in identifying and reviewing suspicious elder deaths and facilitating communications among persons who perform autopsies and persons involved in the investigation or reporting of elder abuse or neglect. This legislation also specifies that the county elder death review teams be comprised of certain state and local agency staff and private entities and to establish procedures for the sharing or disclosure of information by elder death review teams.	301	IV
SB 344 Ortiz	<i>Health care data reporting</i> This legislation requires the State Department of Health Services to place on its Internet Web site, in a format that may be easily understood by the general public, certain data relating to enrollment in Medi-Cal and other program data.	276	I
SB 351 Ortiz	<i>Public health: drinking water</i> This legislation requires the department of health services to adopt a primary drinking water standard for hexavalent chromium. The standard must be adopted by January 1, 2004, and a report on the progress of developing the standard must be provided to the Legislature by January 1, 2003.	602	III
SB 456 Speier	<i>Health Insurance and Portability and Accountability Act</i> This legislation enacts the Health Insurance Portability and Accountability Implementation Act of 2001 and requires the Office of HIPAA Implementation, established by the Governor's office within the California Health and Human Services Agency, to perform specified activities required for compliance with this federal act. The legislation also requires state entities subject to HIPAA to complete an assessment prior to January 1, 2002, to determine its impact on their operations and requires state entities to cooperate with the office in achieving compliance with HIPAA. The legislation requires the Department of Finance to develop guidelines relating to obtaining HIPAA funding and to report to the Legislature regarding expenditures related to HIPAA implementation activities. The provisions of this legislation remain in effect only until January 1, 2008, and will be repealed on that date. Further, this legislation deletes the provisions of existing law requiring the Office of Statewide Health Planning and Development to develop a plan, to prepare a progress report, and to contract for consulting services leading to recommendations related to a health data interchange between and among health facilities, health care service plans, insurers, providers, emergency medical services providers, local emergency medical services agencies, and relevant state agencies.	635	I
SB 683 Ortiz	<i>Public health information: confidentiality</i> This legislation, which is sponsored by the State Department of Health Services, expands the privacy protections of confidential medical information contained in its cancer and birth defects monitoring programs, to prohibit the information from being subject to subpoena or discoverable in any proceeding.	444	II
SB 702 Escutia	<i>Chronic disease: environmental determinants</i> This legislation provides legislative intent to track the relationship between chronic	538	III, IV

diseases and environmental exposures in accordance with the recommendations of a working group established by the Division of Environmental and Occupational Disease Control at the State Department of Health Services and in consultation within the Office of Environmental Health Hazard Assessment within the California Environmental Protection Agency and to submit their report to the Legislature by July 1, 2002.

SB 1041
Ortiz

Health care: Donated Dental Services Program

This legislation establishes the Donated Dental Services Program within the State Department of Developmental Services for purposes of increasing access to dental services for special populations by encouraging the delivery of volunteer dental services for the disabled and elderly by California's practicing dentists.

VETO I

Safety

Number & Author	Description	Chapter Number	ACPHD Legislative Priorities
AB 35 Shelley & Jackson	<i>Firearms: handgun safety certificate</i> This legislation establishes a statewide handgun safety certificate program, which requires any person who wants to purchase or otherwise transfer a concealable firearm to obtain a Handgun Safety Certificate (HSC). This legislation establishes an application procedure for obtaining a handgun safety certificate, including the applicant's successful completion of a written test and requires the successful completion of a safe handling demonstration before a dealer will deliver a handgun. No handgun safety certificate may be issued to any person under 18 years of age. The provisions described in this paragraph will become operative on January 1, 2003. This legislation makes other conforming changes, including changes that affect requirements relating to the transfer or loan of firearms by firearms dealers and others.	940	III
AB 79 Havice	<i>School Safety</i> Under existing law, a comprehensive school safety plan is required to identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety. This legislation requires the State Department of Education to develop model policies on the prevention of bullying and on conflict resolution and to make the model policies available to school districts. Further, this legislation authorizes a school district to adopt one or both of the policies for incorporation into its school safety plan.	646	III
AB 477 Cohn	<i>Criminal Procedure-Domestic Violence</i> This legislation requires that persons accused of misdemeanor offenses involving domestic violence be present for arraignment and sentencing, whereas under existing law persons accused of misdemeanors were required to appear by counsel only.	82	
AB 530 Reyes	<i>Crime Prevention</i> This legislation requires the Department of Justice to provide subsequent arrest information for persons employed as in-home personal care givers to aged or disabled adult to the employer who requested an initial criminal background check.	845	I
AB 653 Horton	<i>Crime: minors: schools</i> This legislation extends those acts for which a student may be suspended to include aiding or abetting the infliction or attempted infliction of physical injury to another person. Further, this legislation authorizes courts to order minors involved in assaults or batteries to attend counseling.	484	I, III
AB 770 Nakano	<i>Cellular telephone: vehicles: study</i> This legislation requires any traffic collision report prepared by a member of the Department of the California Highway Patrol or any other peace officer, to include information as to whether a cellular telephone or other driver distraction or inattention is a known or suspected associated factor to the cause of the collision. This information is to be collected and reported to the department by July 1, 2002. Further, the California Highway Patrol is required to study the data gathered and to issue recommendations to the Governor and Legislature.	710	IV
AB 819 Jackson	<i>School Safety</i> This legislation states the intent of the Legislature that schoolsites receiving funds pursuant to the School Safety and Violence Prevention Act provide age-appropriate instruction in domestic violence prevention, dating violence prevention, and interpersonal violence prevention.	735	III
AB 1019 Corbett	<i>Victims of crime</i> This legislation provides for the indemnification of any victim of sexual assault or domestic violence for specified expenses. Further, it extends until January 1, 2004, the	419	I

operation of the provisions specifying conditions on the reimbursement for mental health counseling for certain derivative victims of crime.

AB 1078 Jackson	<i>Driving under the influence</i> Existing law makes it a public offense, punishable as either a misdemeanor or felony, if a person is convicted of specified driving under the influence offenses (DUI) that occur within 10 years of, among other offenses, gross vehicular manslaughter while intoxicated or felony vehicular manslaughter. This legislation recasts provisions as to the specific prior offenses described above to delete the 10-year restriction.	849	
AB 1312 Nakano	<i>The Asian Pacific Islander Anti-Hate Crimes Program</i> This legislation establishes in the Department of Justice the Asian Pacific Islander (API) Anti-Hate Crimes Program, the functions of which are to (1) create hard copy brochures and workbooks to provide to Asian Pacific Islander communities throughout the state that define what are hate crimes, how to report a hate crime, how hate crimes impact a community and community strategies on responding to hate crimes; and (2) conduct training seminars for community organizations in order to better train them to assist themselves or other Asian Pacific Islander communities in dealing with hate crimes.	566	III
AB 1497 Negrete McLeod	<i>California Victim compensation</i> This legislation provides that each county may establish multidisciplinary teams or centers to coordinate the activities of the various agencies involved in the investigation and prosecution of alleged child abuse. Counties may submit claims to the California Victim Compensation and Government Claims Board for the recovery of costs associated with the provision of child victim forensic evidentiary interviews conducted by multidisciplinary teams or centers and in order to qualify for state funding must adopt a written protocol and develop an interagency protocol agreement.	VETO	
AB 1614 Washington & Runner	<i>Crime prevention: drug endangered children</i> This legislation establishes in Office of Criminal Justice Planning a program of financial and technical assistance for counties to provide district attorneys or county sheriffs with funds to coordinate multiagency drug endangered child response teams in cooperation with local, state, and federal law enforcement agencies, and county departments of health and children services, for the purpose of responding promptly to cases involving drug endangered children. The legislation provides that available funds may be used to support Drug Endangered Children Programs, on a competitive grant basis in 7 specified counties and in up to an additional 5 counties if there are remaining funds. Further, the legislation provides that one representative of each local agency involved in implementing a county's Drug Endangered Children Program shall form an executive committee, the function of which is to distribute the grant funds awarded the county in a fair and equitable manner.	853	II, III
AB 1626 Pescetti & Diaz	<i>School Safety</i> This legislation establishes the California Safe Alternatives and Violence Education (SAVE) Program to provide nonpunitive intervention for adolescent first-time offenders, ages 10 to 17, inclusive, who have been involved in violence or weapons possession on or near a school campus. The Attorney General is required to administer the program and to establish 2 programs in Sacramento County and the City of San Jose. The program is to be a voluntary collaborative effort between probation departments, other local law enforcement agencies, and local education entities and is required to offer specified services. Program participants are referred to the program by schools, probation departments, courts, and law enforcement agencies.	VETO	III
SB 9 Soto	<i>Firearms: Criminal Storage: Minors</i> This legislation expands the scope of the storage of firearm laws by changing the definition of a child from a person under the age of 16 to a person under the age of 18. Further, this legislation creates a misdemeanor for any person who negligently allows a child to access a firearm if the child then takes the firearm to school or a school event and changes the language in the warnings posted by licensed firearm dealers to comply with the proposed changes in law.	126	III

SB 255 Speier	<i>Crimes: unattended children in vehicles</i> This legislation makes it an infraction for the parent, legal guardian, or other person responsible for a child who is 6 years old or younger to be left inside a motor vehicle, without the supervision of a person 12 years old or older, and where there are conditions that present a significant risk to the child's health or safety, when the vehicle's engine is running, or the vehicle's keys are in the ignition. The legislation requires that 70% of the revenue collected from fines imposed under these provisions be allocated to the county or city health department for development and implementation of community education programs on the dangers of leaving young children unattended in motor vehicles; 15% be allocated to the county or city for the administration of the program; and 15% be allocated to the city to be deposited in its general fund. Further, each county and city health department is required to prepare and annually update a listing of community education programs that provide information on the dangers of leaving young children unattended in motor vehicles, ways to avoid this danger, and provides for the forwarding, availability, and distribution of the listing. The department must also include information concerning the dangers of leaving children unattended in motor vehicles in specified materials .	855	III
SB 257 Kuehl	<i>Schools: hate crimes</i> This legislation adds "hate crimes" to the list of issues to be addressed in interagency safe schools programs established under the School/Law Enforcement Partnership. In addition, the bill requires comprehensive school safety plans to include development of a discrimination and harassment policy, and development of hate crime reporting procedures.	890	III
SB 286 Soto	<i>School Safety: hazardous substances:</i> This legislation requires the State Department of Education, in consultation with the State Department of Health Services, the Division of Occupational Safety and Health within the Department of Industrial Relations, and the Office of Environmental Health Hazard Assessment, to study and report to the Legislature by May 1, 2002, on the use of substances as part of educational instruction that are listed in the California Science Safety Handbook for Public Schools as carcinogenic or mutagenic or that are identified as having chemical risks that outweigh educational benefits.	VETO	IV
SB 294 Scott	<i>Crimes</i> This legislation requires the California Victim Compensation and Government Claims Board to select up to 5 sites to operate victim recovery, resource, and treatment programs to provide comprehensive recovery services to victims of crime, according to specified criteria. The board is required to report to the Legislature on the programs no later than May 1, 2004. Under existing law, the Department of Justice may inspect firearms dealers to ensure compliance with various statutory requirements and may assess an annual fee not to exceed \$85, to cover the reasonable cost to cover the inspections and for other regulatory purposes. This legislation increases the maximum annual fee to \$115 and makes technical changes to certain warnings that are required to be posted by firearms dealers.	138	I, II
SB 551 Machado	<i>Victims of Crime</i> This legislation, until January 1, 2004, authorizes the California Victim Compensation and Government Claims Board to provide reimbursement to county boards of supervisors for specific services provided as a result of specific crimes of terrorism, and authorizes the board to expand the scope of assistance to specific victims, to provide reimbursement for mental health services for members of California or search and rescue teams, and to allocate a specific amount to the victim compensation program in New York, as a result of the events of September 11, 2001. This legislation is to take effect immediately as an urgency statute.	346	I, II
SB 568 Morrow	<i>Schoolbus seat belts</i> This legislation requires that certain schoolbuses purchased or leased for use in California be equipped at all designated seating positions with a combination pelvic and upper torso passenger restraint system unless specifically prohibited by the National Highway Transportation Safety Administration. Further, this legislation declares the	581	III

intent of the Legislature that school pupil transportation providers work to prioritize the allocation of those schoolbuses to ensure that elementary level schoolbus passengers receive first priority for new schoolbuses whenever feasible.

SB 626
Perata &
Peace

Weapons

This legislation amends the existing restrictions on large-capacity firearms magazines to (1) specifically allow the manufacture in California for persons or entities which are otherwise exempted from the existing restrictions on importation, purchase, sale, and use, and (2) exempt tubular magazines in lever-action firearms from the definition of restricted magazines. This legislation also adds exemptions for specified sworn law enforcement officers to buy and possess assault weapons and to make related changes, as specified.

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III

Housing

Number & Author	Description	Chapter Number	ACPHD Legislative Priorities
AB 369 Dutra	<i>Affordable housing development projects:</i> This legislation requires a court to award attorney's fees and cost of suit to a developer if the court determines that a local agency disapproved housing for very low, low- or moderate-income families or imposed conditions that made the development infeasible without making sufficient findings based on substantial evidence.	237	III
AB 445 Cardenas	<i>School Facilities Fee Assistance Fund</i> Existing law establishes the Homebuyer Down Payment Assistance Program and the Rental Assistance Program. The purpose of these programs is to provide assistance in the amount of the applicable school facility fee for affordable housing developments. The School Facilities Fee Assistance Fund is continuously appropriated for this purpose. This legislation limits the School Facilities Fee Assistance Program's ability to create new obligations to the remaining available funds and Program activities until no later than December 31, 2001 and deletes the scheduled \$20 million appropriation for 2002-03 and \$40 million for 2003-04.	114	III
AB 807 Salinas	<i>Farmworker Housing:</i> Authorizes the Department of Housing and Community Development (HCD) to make grants and loans to local governments and non-profits that provide short-term occupancy housing for migrant farmworkers.	555	III
AB 1044 Migden	<i>California Housing Finance Agency Bonds:</i> The California Housing Finance Agency (CHFA) was established to meet the housing needs of the low and moderate income persons and families in the state. Existing law authorizes CHFA to issue revenue bonds to finance housing developments and other residential structures or to make payments of interest on prior bonds. Existing law establishes a limit on the amount of total debt CHFA is authorized to issue at \$8.95 billion in outstanding bonds. This legislation increases the principal amount of revenue bonds CHFA may have outstanding by \$2.2 billion to \$11.15 billion.		III
AB 1160 Florez	<i>Farmworker Housing</i> This legislation expands the existing Joe Serna, Jr. Farmworker Housing Grant Program (FWHG) to authorize the Department of Housing and Community Development (HCD) to make loans to local public entities, nonprofit corporations, and prescribed limited partnerships for the construction or rehabilitation of housing for agricultural employees.	593	III
AB 1359 Lowenthal & Kehoe	<i>Housing: Predevelopment Loan Fund</i> Existing law creates the Rural Predevelopment Loan Fund and the Urban Predevelopment Loan Fund, which are continuously appropriated to the Department of Housing and Community Development to make loans for specified housing purposes. This legislation repeals the provisions relating to the Rural Predevelopment Loan Fund, renames the Urban Predevelopment Loan Fund as the Predevelopment Loan Fund, transfers the balance of specified funds into that fund, and revises various criteria for expenditure of money under the Predevelopment Loan Program, thereby making an appropriation. The legislation also repeals obsolete provisions relating to the State Home Retention Account in the Rental Housing Construction Fund.	395	III
AB 1467 Kehoe	<i>Housing:</i> According to existing law, a court may order the appointment of a receiver for housing when the owner has not corrected the condition that resulted in the receipt of a notice or order for repair within a reasonable amount of time. This legislation allows non-profit agencies to be appointed as receivers for substandard buildings, and for receivers to recover their costs by placing a lien on the property.	594	III

AB 1739 Reyes	<p><i>Foster care and emergency housing:</i></p> <p>This legislation requires the Department of Social Services to adopt guidelines for the placement of foster youth with specific regard to the age of the caregiver, the age differential between the caregiver and the child, and the ability of the caregiver to exercise proper and effective care and control over the child, and distribute the guidelines to the counties. This legislation also establishes that emergency shelter or transitional housing may be offered exclusively to persons 24 years of age or younger, on the basis of age, but only to the extent that the shelter or transitional housing administrator reasonably believes that these age restrictions are necessary for the health and safety of the occupants 24 years of age or younger. However, in the case of families, providers of emergency shelter or transitional housing shall provide, to the greatest extent feasible, adequate facilities within their range of services so that all members of a family may be housed together, regardless of age and gender.</p>	VETO	III
SB 429 Soto	<p><i>Housing: Assistance</i></p> <p>The Planning and Zoning Law requires an owner of an assisted housing development to give tenants specified notices prior to the anticipated termination date of a subsidy contract, and to give specified entities the opportunity to offer to purchase the development. This legislation provides that the owner shall be deemed to be in compliance with the notice requirement and that the requirement to give the opportunity to purchase shall not apply if specified conditions are contained in a regulatory agreement recorded against the property. The legislation is to take effect immediately as an urgency statute.</p>	117	III
SB 442 Vasconcellos	<p><i>Housing: special needs population</i></p> <p>Under existing law, the California Statewide Housing Plan includes a housing strategy that coordinates housing assistance and activities of state and local agencies. This legislation requires the housing strategy in the California Statewide Housing Plan to take into account information provided by various state departments on the housing needs of certain populations. Further, this legislation establishes the California Affordable Housing Connection (CAHC), an internet based reference site for multi-unit low-income housing to be overseen by the Director of e-Government in the office of the Governor. The director is required to designate or request a specified technology center to maintain and update the information at least biannually to report to the Legislature, as specified, on the development of the site.</p>	577	III
SB 581 Alarcon	<p><i>Residential rental property</i></p> <p>This legislation requires a private owner of residential rental property to submit and maintain specified identifying information regarding the property with the local building official in the county or city. This legislation would make it a misdemeanor if a violation of the State Housing Law results in an order that causes tenants to vacate a rental unit because of an immediate danger to their health and safety while the owner is in violation of the requirement imposed by the legislation, except in specified circumstances</p>	VETO	III